

MONTANA LANDOWNERS, MATL REACH COMPROMISE

By Karl Puckett

Developer Tonbridge Power Inc. announced Tuesday that it has successfully negotiated settlements with four Montana landowners who had objected to its Montana Alberta Tie Line transmission project.

"What it means is there are no further holdups for construction of this line in the state of Montana," said Richard Oppen, director of the state Department of Environmental Quality.

The settlement clears up opposition in Montana, but a group of Alberta landowners continues to fight plans for the \$140 million transmission line, which would connect the electricity markets of Canada, at Lethbridge, and the United States, at Great Falls.

Wind farm developers, who need transmission to ship power to out-of-state markets, have sited projects along the line, but some landowners objected to the diagonal placement of poles and the use of wider H-frame poles.

In response, MATL reduced the number of miles of diagonal crossings and replaced some of the H-frames with single poles.

"Now we can proceed with the project without being pugnacious," Toronto-based Tonbridge CEO Johan van't Hof said of the Montana settlements.

In a special meeting Friday, the Montana Board of Environmental Review, with which the appeals were filed, is expected to formally dismiss the landowners' appeals.

About 130 miles of the line would cross Montana farmland. van't Hof said getting support from every landowner has been an unfair "test of unanimity," but he added that the company has tried to negotiate agreements, as opposed to being "pushy" and beginning construction without them.

"This means we weren't being strident," he said

The appealing landowners were Chris Stephens of Dutton; neighbors Jerry McRae and Katrina Wilson Martin, also of Dutton, who filed a joint appeal; and Michael and Donald Koenig of Conrad.

Michael Koenig referred comments to Norman Grosfield, a Helena attorney representing the family in the dispute.

"We've come to a resolution that is satisfactory to my client," Grosfield said, adding a confidentiality agreement prevented any further comment.

The other landowners weren't immediately available for comment.

van't Hof said confidentially agreements have been signed in each case but, in general, the appeals involved placement of the poles and the use of diagonal crossings over farmland.

The settlements did not involve any payments except that the company agreed to pay the landowners' legal fees, van't Hof said.

Last week, MATL said appeals of the project were partly responsible for a five-month delay in construction of the transmission line.

Construction, which was scheduled to begin this month, has been pushed back to the fall.

An appeal of the project by property owners in Alberta was heard by the Alberta Court of Appeal in January. A decision is pending.

"If the court finds something that needs to be fixed up, we'll go fix it up," van't Hof said.

Bob Williams of Montana Alberta Tie Ltd., a Tonbridge Power Inc. subsidiary, said individual negotiations with Montana landowners over easements and mitigating the impact of the line will pick up once the Court of Appeals case is settled.

The 500-foot corridor that's been authorized in Montana gives the company flexibility in the final centerline location, he said.